

**ENTERED**TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 28, 2009

  
 United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

IN RE:

LUBBOCK, TEXAS - HIGHLAND  
MEDICAL CENTER, L.L.P.  
Debtor

§  
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§  
§

CASE NO. 08-50202-RLJ-11

**AGREED ORDER ON MOTION OF LUBBOCK HERITAGE HOSPITAL DBA  
DOCTOR'S HOSPITAL TO COMPEL TRANSFER OF FUNDS FROM BANK  
LOCKBOX ACCOUNTS HOLDING ACCOUNTS RECEIVABLE FUNDS  
TO ACCOUNT FOR DISBURSEMENT**

On this day came on for consideration the Motion of Lubbock Heritage Hospital, Inc. dba Doctor's Hospital to Compel Transfer of Funds from Bank lockbox Accounts Holding Accounts Receivable funds to account for Disbursement. With proper notice having been given and a Objection from NS Fund I, LLC to transfer of Bank of America funds, Movant appeared, together with Max Tarbox, representing Debtor in Possession, and Nolan Greak, representing NS Fund I, LLC., All parties announced an agreement to the Court that an order to compel should be entered compelling Hershel Breig, Sr. Vice President of Highland West Texas Medical Services, Inc. General Partner of Debtor to transfer funds from lockbox accounts in Arvest Bank and Bank of America to Lubbock National Bank and agreeing that Debtor shall disburse \$15,000.00 from the Lubbock National Bank account to NS Fund I, LLC for additional escrow under an agreement between the parties concerning collection of accounts receivable, and the Court having considered the matter and being advised by the signatures below that NS fund I, LLC and Debtor in Possession have agreed to this order compelling transfer and have consented

to the entry of this order; it is therefore

**ORDERED** that the General Partner of the Debtor in Possession, Highland West Texas Medical Services, Inc., or the duly authorized representative of the General Partner, Hershel J. Breig, Senior Vice President, or other duly authorized representatives of the General Partner, shall immediately transfer funds from the lockbox accounts at Arvest Bank and Bank of America to the Debtor in Possession Account at Lubbock National Bank or such other bank account as may be ordered by the Court and to continue to transfer funds from such accounts at least three time per week so long as such accounts remain under the control of debtor, debtor in possession, or Highland West Texas Medical Services, Inc. General Partner of Lubbock, Texas - Highland Medical Center, LP.

**IT IS FURTHER ORDERED** that Debtor in Possession is ordered to disburse to NS Fund I, LLC the sum of \$15,000.00 from such Lubbock National Bank account to be held by NS Fund I, LLC as additional security for payment of accounts receivable under an agreement between NS Fund I, LLC and Lubbock Heritage Hospital dba Doctor's Hospital.

**IT IS FURTHER ORDERED** that Debtor in Possession shall make disbursements according to prior order of the Court except that immediately set forth above.

###End of Order###

Approved as to Form:

/s/Max R. Tarbox  
Max R. Tarbox  
McWhorter, Cobb & Johnson, LLP  
Lubbock, Texas  
Attorneys for Debtor

/s/Nolan Greak  
Nolan Greak  
Attorney at Law  
Lubbock, Texas  
Attorney for NS Fund I, LLC

s/s Myrtle McDonald  
Myrtle McDonald  
Myrtle McDonald, PLLC  
Lubbock, Texas  
Attorneys for Doctor's Hospital